

CENTRAL VALLEY FLOOD PROTECTION BOARD

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October 21, 2010

Mr. Joseph Grindstaff
Interim Executive Officer
Delta Stewardship Council
650 Capitol Mall, Fifth Floor
Sacramento, California 95814

Dear Mr. Grindstaff:

Thank you for requesting the Central Valley Flood Protection Board's (Board) input for developing the Delta Plan. As you have listed in your September 9, 2010 letter, the Sacramento-San Joaquin Delta Reform Act of 2009 requires that the Board provide its recommendations to the Delta Stewardship Council (Council) relating to future investments in the Delta levees. Plus, the Sacramento-San Joaquin Delta Reform Act also directs the Department of Water Resources (DWR), in consultation with the U.S. Army Corps of Engineers and the Board, to prepare and submit a proposal to coordinate flood and water supply operations of the State Water Project (SWP) and the federal Central Valley Project (CVP) for the Council's consideration and incorporation into the Delta Plan.

The Board supports the important process initiated by the legislature and the Governor to achieve coequal goals of providing more reliable water supply for California and protecting, restoring, and enhancing the Delta ecosystem. Our Board is committed to assist the Delta Stewardship Council in protecting the Sacramento-San Joaquin Delta and the critical role it serves in the water supply for millions of Californians, as well as its unique ecosystem and way of life.

The Board is not involved with flood and water supply operations of the CVP or the SWP. Those roles belong to the U.S. Bureau of Reclamation (USBR) and DWR's Division of Operations & Maintenance, respectively. We will provide you with our priorities for State investment in the Delta levees, but let USBR and DWR develop the proposal to coordinate flood and water supply operations of the SWP and CVP projects.

Our Board, in cooperation with other federal and State agencies, is responsible to control flooding along the Sacramento and San Joaquin Rivers and their tributaries. The Board maintains the integrity of the existing flood control system and designated floodways through our regulatory authority by issuing permits for encroachments. Development projects within the jurisdiction of the Board are required to meet standards for the construction, maintenance, and protection of adopted plans of flood control that will protect public lands from floods. The jurisdiction of the Board includes the Central Valley, including all tributaries and distributaries of the Sacramento River and the San Joaquin River, and designated floodways.

The State, through the Board, shares in the costs of construction, assumes responsibility for ensuring the operation and maintenance of the facilities, and holds the federal government harmless from liability. For Board's flood management projects, the Board delegates operation and maintenance to DWR or local flood control and levee-maintaining agencies.

The Board has the legal responsibility for oversight of the entire Central Valley flood management system. Its jurisdiction extends through 14 counties, and comprises 1.7 million acres along the most flood-prone portions of the Sacramento and San Joaquin Rivers. The Board's jurisdiction includes Delta islands and levees, but is limited to flood protection and public safety in these areas.

In your September 9, 2010 letter, you asked specific questions. I will respond to your questions first and then provide the Board's overall priorities for State investment for flood risk reduction in the Delta.

Q 1 Need for the Council to receive a list of the key studies/reports/documents that in sum comprise the current official California state policy on flood/levee/emergency response issues.

- *State-Federal Flood Operations Center Flood Emergency Operations Manual*
- *CA Emergency Management Agency Standardized Emergency Management System (SEMS) Guidelines*
- *Department of Water Resources Delta Emergency Operations Plan*

Q 2 Provide any existing policy about "priorities for state investments in levee operation, maintenance, and improvements in the Delta, including both levees that are a part of the State Plan of Flood Control and non-project levees" or recommendations about how such policy should be developed.

- *Guidelines for the Delta Subventions Program*
- *Guidelines for the Special Projects*
- *CAL FED BAY- DELTA PROGRAM Long-term Levee Protection Plan*

Q 3 Given our statutory deadline of January 1, 2012, it would be appreciated if you could advise us of the key staff persons who will be in charge of providing this information.

Mr. Len Marino, the Board's Chief Engineer and Mr. Dan Fua, Chief of the Flood Improvement Branch would be your primary contacts. Mr. Marino and Mr. Dan Fua can be reached at (916) 574-0608 and (916) 574-0698, respectively.

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The Board supports investment in the following areas to reduce flood risk in the Delta.

1. Reducing the fragility of the levees (Special Projects and Delta Subventions Program)
2. Improving levee maintenance
3. Improving through-Delta water conveyance

If you have further questions regarding this subject, please call me at (916) 574-0609, or your staff may contact Len Marino, Chief Engineer, at (916) 574-0608 or by e-mail at lmario@water.ca.gov.

Sincerely,

Jay S. Punia, P.E.
Executive Officer



DELTA STEWARDSHIP COUNCIL

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SACRAMENTO, CALIFORNIA 95814
WWW.DELTACOUNCIL.CA.GOV
(916) 445-5511

September 9, 2010

RECEIVED

SEP 15 2010

Mr. Jay Punia
Central Valley Flood Protection Board
P.O. Box 942836
Sacramento, CA 95814

Chair
Phil Isenberg

Members
Randy Fiorini
Gloria Gray
Patrick Johnston
Hank Nordhoff
Don Nottoli
Richard Roos-Collins

Interim Executive Officer
P. Joseph Grindstaff

RE: Request for Assistance:

- §85306-Delta Levees Investment Priorities
- §85309-Coordinated Flood and Water Supply Operations Proposal

Dear Mr. Punia:

You know that the Delta Stewardship Council (Council) is tasked with developing recommendations relating to Delta levees investments for inclusion within the Delta Plan, and is also required to consider a proposal for coordinating flood and water supply operations.

The Sacramento-San Joaquin Delta Reform Act of 2009 includes the following sections:

§85306. *The council, in consultation with the Central Valley Flood Protection Board shall recommend in the Delta Plan priorities for state investments in levee operation, maintenance, and improvements in the Delta, including both levees that are a part of the State Plan of Flood Control and nonproject levees.*

§85309. *The department, in consultation with the United States Army Corps of Engineers and the Central Valley Flood Protection Board, shall prepare a proposal to coordinate flood and water supply operations of the State Water Project and the federal Central Valley Project, and submit the proposal to the council for consideration for incorporation into the Delta Plan. In drafting the proposal, the department shall consider all related actions set forth in the Strategic Plan.*

When you add the legislative determination that achieving the coequal goals includes reduction of risks "to people, property, and state interests in the Delta by effective emergency preparedness, appropriate land uses, and investments in flood protection." (Section 85020 (g), you will see the broad range of the requirements imposed on us.

"Coequal goals" means the two goals of providing a more reliable water supply for California and protecting, restoring, and enhancing the Delta ecosystem. The coequal goals shall be achieved in a manner that protects and enhances the unique cultural, recreational, natural resource, and agricultural values of the Delta as an evolving place."

– State Water Code §85054

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Our Requests

1. The Council is developing its workplan to identify and investigate critical issues to achieve its objective. We have discussed previously the need for the Council to receive a list of the key studies/reports/documents that in sum comprise the current official California state policy on flood/levee/emergency response issues. We would also ask that you provide any existing policy about "priorities for state investments in levee operation, maintenance and improvements in the Delta, including both levees that are a part of the State Plan of Flood Control and nonproject levees" or recommendations about how such policy should be developed. This material will allow us to effectively review and consider existing state policy and, hopefully, adopt or incorporate much or all of it in the Delta Plan. Upon adoption, this becomes enforceable, and it is very important that the policy the Council adopts is well reasoned, implementable, and useful, and achieves the purpose of the statute.
2. We are required to consider a proposal to coordinate flood and water supply operations of the CVP and SWP for inclusion within the Delta Plan. This proposal, mandated in §85309, directs DWR to consult with the USACE and CVFPB, and to submit this proposal to the Council. We ask that DWR review the statute, and consult with the Council as to how to best coordinate activities to ensure alignment with the Delta Plan's objectives.

Given our statutory deadline of January 1, 2012, it would be appreciated if you could advise us of the key staff person or persons who will be in charge of providing this information. We will contact them for further information.

Thanks for the help.

Sincerely,



P. Joseph Grindstaff
Interim Executive Officer

cc: Matthew Bettenhausen, Cal EMA
Donald R. Glaser, USBR
Colonel William J. Leady, USACE
Nancy Ward, FEMA